

# **Rhode Island Water Resources Board**

## **Memorandum**

**To:** M. Paul Sams, General Manager  
**From:** Juan Mariscal  
**Date:** December 18, 2003  
**Subject:** **Water Allocation Program Advisory Council (WAPAC) Recommendations**

### **BACKGROUND**

At its meeting on November 20, 2003 the Water Allocation Program Advisory Council reached a consensus on several recommendations. This was the first group of recommendations to be submitted to the WRB as part of the Water Allocation Program planning activities. These recommendations were forwarded to the WRB's Public Drinking Water Protection Committee for their review and action. The PDWP Committee then forwarded these recommendations to the WRB for its review and action at its meeting on December 9, 2003. The WAPAC met on December 18, 2003 to continue the work of identifying consensus on WAP priority recommendations.

### **DISCUSSION**

At the December 18, 2003 WAPAC meeting, the Committee continued to make progress toward reaching a consensus on WAP priority recommendations for consideration by the WRB. Using an initial listing of priority recommendations defined by the WRB staff, the WAPAC has focused its discussions on 21 of the 84 recommendations identified by the Sub-Committees. The prime purpose of the meeting was to identify a list of priority recommendations for which there was consensus by the WAPAC members. These recommendations would establish a framework on which to build a water allocation program for the near and long term. These identified priority recommendations would be the focus of discussions at a January 29, 2004 all-day workshop for the WAPAC and the WRB members.

At the meeting, two new handouts (Attachments A and B) were provided. For this meeting the previously identified priority recommendations were re-sorted to provide an order for discussion. Attachment A is an extract from the Thematic Findings presented last month and Attachment B is the "full-text" listing of the "Top 21" priority recommendations. In addition, to these new handouts, a compilation of all WAPAC member comments received was also provided (Attachment C). Comments received after the meeting notice was sent out were provided and/or discussed at the meeting (Attachment D).

For the purposes of this meeting, consensus was defined to mean that a majority of the members agrees with a stated position. Minority positions were also recorded. In many cases, compromise wording was encouraged, suggested and then accepted to reach a consensus. On one recommendation (see #8 below), the Committee was clearly divided. For this situation an actual vote was taken and the results of that vote is provided below to provide some guidance to the PDWP and the WRB.

## MEETING OUTCOME

The WAPAC's conclusions at its December 18, 2003 meeting were:

Priority Recommendation	Decision/ Comments
<b>3. Major Suppliers Report Monthly Data Annually</b> Require "major" public suppliers (those required to submit WSSMPs) to report monthly water withdrawal data annually on a calendar year basis. This could be accomplished in the short term and that these data are available now.	<b>Consensus previously reached at 11/20/03 meeting, reconfirmed at 12/18/03 meeting</b>
<b>4. Maintain/Expand the Stream Gage Network</b> The stream gaging network needs to be improved and is a vital part of managing stream flow. The Streamflow Committee recommends a statewide stream gaging network that has at least one long-term continuous gage for each 12-digit HUC delineation. [In establishing priorities/first steps, the committee recommended that the state maintain existing gages and prioritize new gages with a recommended phase in schedule].	<b>Consensus Reached</b>
<b>6. Info gathering and Analysis (streams, safe yield, build-out)</b> To support the recommendations, several kinds of information gathering and analysis to determine the environmental, social, and economic impacts of water withdrawal including but not limited to the following: <ul style="list-style-type: none"> <li>• Water Resources Board – USGS Basin Studies</li> <li>• Using NEWUDS, determine an accurate method to calculate OOBT for each basin considering future water demand</li> <li>• Well Completion data</li> <li>• Enhanced Stream Flow Monitoring</li> <li>• Recalculation of Safe Yield,</li> <li>• Refine definition of safe yield</li> <li>• Build-out Analysis &amp; Evaluation of Alternative Regulatory Scenarios</li> <li>• US Army Corp of Engineers type Impact Modeling</li> </ul>	<b>Consensus Reached</b>
<b>10. Major suppliers categorize use quarterly</b> Require "major" public suppliers to breakdown and report water use by category (domestic, commercial, industrial, institutional, agricultural, "nonaccount") quarterly, based on a calendar year. There was recognition that this may take time to implement as systems update software/capacity for reporting. The Water Use Reporting Committee recommends implementation by 2010.	<b>Consensus previously reached at 11/20/03 meeting, reconfirmed at 12/18/03 meeting</b>

Priority Recommendation	Decision/ Comments
<p><b>11. Water use reporting required over a threshold</b>  Require water-use reporting for use above the “major user” threshold of 3 million gallons per year (&gt;8,200 gallons/day or &gt;740,000 gallons over a three month period) for all self supplied users as well as “minor” suppliers statewide. Voluntary reporting of metered data or other accurate methods of measurement accepted by the Water Resources Board would commence in January 2005 and would become mandatory by January 2007. (There is objection to the mandatory reporting requirement). Evaluate developing coefficients in a phased approach conducting research to develop a range of coefficients for water use that reflect seasonal variability, domestic irrigation systems...to assist local land use decision on water availability.</p>	<p><b>Consensus previously reached at 11/20/03 meeting, reconfirmed at 12/18/03 meeting</b>  There is strong objection to the mandatory reporting requirement which was previously submitted in writing by the farming community</p>
<p><b>7. Seasonal Rates and/or Drought Surcharges</b>  The Rates Committee recommends that a drought surcharge be assessed regionally during periods of water scarcity. Procedures and/or regulations should be in place to allow utilities to implement a drought surcharge in a fair and equitable manner. The surcharge should be used to replace lost revenue due to severe water restrictions.</p>	<p><b>Consensus Reached</b>  Clarification noted: This is a fee that the utilities will assess and collect to offset a reduction in revenue. This is a utility fee. An objection was raised to collecting the funds that would go to state’s General Fund.</p>
<p><b>8. Standardize language in bills and encourage quarterly billing frequency</b>  The Rates Committee recommends that the WRB encourage (or mandate) water suppliers to standardize the language used on water bills. Showing the water consumption in gallons, showing the consumption history and including a comment section are all suggested as enhancement to the bills, which will make them easier to understand by the customer. The committee also recommends that the WRB encourage water suppliers to issue residential water bills on a quarterly billing frequency.</p>	<p><b>No Consensus reached.</b>  There was a disagreement on whether the recommendations should be mandatory or simply “encouraged.” A vote was taken to define the level of disagreement.  For Standardizing bills:  “Encourage” 5 votes;  “Mandatory” 9 votes;  Abstentions: 2 votes  For Billing Frequency:  “Encourage” 9 votes;  “Mandatory” 8 votes;    Note: It was discussed that a billing frequency of less than quarterly may contradict the intent of Recommendation #10.</p>
<p><b>9. Eliminate flat or fixed rates - <i>Fair and reasonable rates</i></b>  The Rates Committee recommends that completely fixed water and sewer charges be eliminated. Water rates should be tied to the volume of water used. A basic service fee, combined with a volumetric charge, however is acceptable.</p>	<p><b>Consensus reached.</b>  It was agreed that “flat” and “fixed” fees need to be defined since a basic service fee (which is acceptable) is a flat or fixed fee.</p>

Priority Recommendation	Decision/ Comments
<p><b>18. Statewide water use permit system</b>  Establish a water withdrawal permit system that considers OOBT, stream flow and conservation among other criteria.</p> <ul style="list-style-type: none"> <li>• Assess impacts that would impair the sustainable development of the basin of origin with stream flow as the controlling factor.</li> <li>• Determine the impact on established minimum flows from the point in the basin where the withdrawal occurs.</li> <li>• Create a new statewide governance structure to administer permit systems for water withdrawal/use; or suggest adoption of certain portions of the Regulated Riparian Model Water Code which would enable existing agencies to modify their policies, procedures and regulations to support the objectives of the WAPAC.</li> </ul>	<p><b>No Consensus reached</b>  There was agreement that this recommendation should be rewritten and discussed at the next WAPAC meeting. The general interest of the Committee was that a concept for the management of water should be defined, existing authorities evaluated, deficiencies noted and corrective measures identified. As noted, this will be on the agenda at the next WAPAC meeting.</p>

Although the WAPAC made considerable progress in reaching consensus on a number of priority recommendations, the work was not completed. As a result, another three-hour meeting was scheduled for Thursday, January 8 at the Audubon Society's conference room.

#### **On-Going Staff Activities**

For the January WAPAC meeting, WRB staff with some Committee members will re-write some recommendations to further clarify them. The goal is to: 1) Address existing goals; 2) Develop a management scheme; 3) Evaluate existing government structures; and 4) fill in the identified gaps. In addition, some clarifications may be needed to define the relationship between the various recommendations.

#### **RECOMMENDATION**

Staff recommends that the PDWP Committee accept the WAPAC's initial recommendations. The WRB staff will continue to assess implementation requirements, timelines and compliance issues for further consideration by the PDWP Committee and the Board.

- ATTACHMENT A:** Page 5 of the Thematic Findings (Re-Sorted)  
**ATTACHMENT B:** "Full-text" listing of the "Top 21" priority recommendations  
**ATTACHMENT C:** WAPAC member comments received  
**ATTACHMENT D:** Comments received after the meeting notice was sent out

# **ATTACHMENT A**

## **Page 5 of the Thematic Findings (Resorted)**

# **ATTACHMENT B**

## **“Full-Text” Listing of the “Top 21” Priority Recommendations**

# **ATTACHMENT C**

## **WAPAC MEMBER COMMENTS RECEIVED**

## **ATTACHMENT D**

**Comments Received**  
after the meeting notice was sent out